

Message

From: Steketee, John [steketee.john@epa.gov]
Sent: 1/8/2018 4:55:32 PM
To: Harris, Michael [harris.michael@epa.gov]; Cisneros, Jose [Cisneros.Jose@epa.gov]; Beedle, Michael [beedle.michael@epa.gov]; Ramanauskas, Peter [ramanauskas.peter@epa.gov]; Zolnierczyk, Kenneth [zolnierczyk.kenneth@epa.gov]; Arrazola, Ignacio [arrazola.ignacio@epa.gov]
CC: Guerriero, Margaret [guerriero.margaret@epa.gov]; Klevs, Mardi [klevs.mardi@epa.gov]; Star, David [star.david@epa.gov]; Mendoza, Stephen [mendoza.stephen@epa.gov]
Subject: RE: Response Correspondence from Madison-Kipp

FYI, their TSCA Pre-78 claim may lack merit, as we have information showing PCB contaminated hydraulic fluid being stored onsite in 1981 and 1983. Also, it appears their parking lot was not paved until circa 1988. The burden is on MKC to prove that all releases occurred prior to 1978. We also believe the data shows that PCBs have reached groundwater (they dispute this) which would make this a Type A site. Counsel for MKC is aware of our general position in the matter. In sum, my best guess is they will realize that their arguments in the letter will not stand up and they will be required to apply for a TSCA approval at this site. Please note that the only day I will be in the office this week is tomorrow, Tuesday, January 9.

From: Harris, Michael
Sent: Monday, January 8, 2018 9:01 AM
To: Cisneros, Jose; Beedle, Michael; Ramanauskas, Peter; Zolnierczyk, Kenneth; Arrazola, Ignacio; Steketee, John
Cc: Guerriero, Margaret; Klevs, Mardi; Star, David
Subject: Response Correspondence from Madison-Kipp

All,
 From reading Madison-Kipp's Response Correspondence, it appears they are taking the position that the Site is a "Type B" instead of a "Type A" based on our One Cleanup MOA with WDNR. Furthermore, it appears they don't intend to come in for a PCB remediation approval. We should meet to discuss next steps.

Michael D. Harris
 Deputy Director
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